



KAUFMAN BORGEEST & RYAN LLP

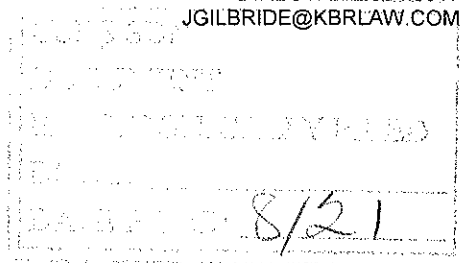
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August 13, 2013

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**VIA OVERNIGHT MAIL**

Hon. Kenneth M. Karas  
U.S. District Court  
Southern District of New York  
300 Quarropas Street  
White Plains, New York 10601-4150



Re: **Deskovic v. City of Peekskill, et. al., No. 07-CV-8150 (KMK)(GAY)**  
**McGarr v. City of Peekskill, et. al., No. 07-CV-9488 (KMK)(GAY)**

Dear Judge Karas:

We represent Intervenor-Plaintiff, New York Municipal Insurance Reciprocal (NYMIR). We submit this letter in furtherance of our prior correspondence with the Court, dated May 7, 2013 and July 11, 2013.

As Your Honor may recall, in its May 7, 2013 letter, NYMIR requested a pre-motion conference with the Court to address NYMIR's request to file a motion for summary judgment. The basis for the summary judgment motion is NYMIR's position that all triggering dates for coverage occurred prior to the inception of the January 1, 1995 to January 1, 1996 NYMIR Municipal Law Enforcement Liability policy issued to Putnam County. The pre-motion conference was scheduled for July 16, 2013.

By letter dated July 11, 2013, NYMIR's prior counsel requested an adjournment of the conference due to the fact that our firm was in the process of being retained as new counsel for NYMIR, and the fact that Plaintiff Deskovic was filing a third-party complaint against Westport Insurance Company.

Now that the third-party complaint has been filed and our firm has been retained, we respectfully renew our request for a pre-motion conference to address NYMIR's request to file a summary judgment motion in the above referenced matters.

Respectfully submitted,

**KAUFMAN BORGEEST & RYAN LLP**

Joan M. Gilbride

Granted. The pre-motion  
conference is scheduled  
for Wednesday, October  
9, 2013 at 10:00 a.m.

8/16/2013

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NEW JERSEY

LOS ANGELES

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